

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:18-CR-452-1-FL
NO. 5:18-CR-452-2-FL

UNITED STATES OF AMERICA,)
)
)
) UNITED STATES' RESPONSE
v.) TO DEFENDANTS' MOTIONS
) TO SEVER UNDER RULE 14
LEONID ISAAKOVICH TEYF,) D.E. 372, 376, and 383
TATYANA ANATOLYEVNA TEYF) UNDER SEAL
Defendants.

The United States of America, by and through its attorney, the United States Attorney for the Eastern District of North Carolina, respectfully responds in concurrence with defendants' motions to sever the trial of defendant Leonid Teyf from that of defendant Tatyana Teyf pursuant to Fed. R. Crim. P. 14.

While the government preserves its right to object at trial to the admissibility of the various evidentiary items argued by defendant Tatyana Teyf, it does agree that the issues of privileged communications and prejudicial information as relates to the personal relationship between the two defendants do give rise to concerns of a fair trial for each of them. Justice (and judicial efficiency) would be better served to have separate trials of them each from the outset.

If the Court grants the motion to sever under Rule 14, the government requests the current trial date of March 16, 2020, be that for defendant Leonid Teyf, and further requests the Court dismiss defendant Tatyana Teyf's concomitant motion to sever under Rule 8 (D.E. 372) as moot.

Respectfully submitted this 27th day of January, 2020.

ROBERT J. HIGDON, JR.
United States Attorney

By: /s/ Barbara D. Kocher
JASON M. KELLHOFER
BARBARA D. KOCHER
Assistant U.S. Attorney
150 Fayetteville St., Suite 2100
Raleigh, NC 27601
Telephone: 919-856-4530
Fax: 919-856-4487
E-mail: jason.kellhofer@usdoj.gov
OH Bar: 0074736
E-mail: barb.kocher@usdoj.gov
NC Bar: 16360

CERTIFICATE OF SERVICE

This is to certify that I have this 27th day of January, 2020, served a copy of the foregoing filing upon counsel for the defendant in this action by sending a copy via electronic mail to counsel of record:

F. Hill Allen
Tharrington Smith LLP

Robert S. Wolf
Moses & Singer LLP

Joseph E. Zeszotarski, Jr.
115 ½ West Morgan Street
Raleigh, NC 27601

David W. Long
P.O. Box 1801
Raleigh, NC 27602-1801

By: /s/ Barbara D. Kocher
BARBARA D. KOCHER
Assistant U.S. Attorney
310 New Bern Avenue, Suite 800
Raleigh, NC 27601
Telephone: 919-856-4530
Fax: 919-856-4487
E-mail: barb.kocher@usdoj.gov
NC Bar: 16360